

MESSAGE NO: 4324301

MESSAGE DATE: 11/20/2014

MESSAGE STATUS: Active

CATEGORY: Countervailing

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): C-570-968

EFFECTIVE DATE: 09/07/2010

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Countervailing duty scope determination on aluminum extrusions from the People's Republic of China (C-570-968)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. Commerce received a scope ruling request from Core Industries LLC (dba as Star Trac). Commerce issued a final scope determination on 10/23/2014 that Star Trac's exercise equipment base kits (specifically, E-TRx treadmill base, E-RB recumbent, E-UB upright bike base, and eSpinner bike universal base kits), which it imports are not within the scope of the countervailing duty order on aluminum extrusions from the People's Republic of China (C-570-968).
2. Commerce determined that the eSpinner bike base kit at issue contains, at the time of importation, all of the necessary parts to fully assemble a final finished good (e.g., a fully functioning piece of exercise equipment that may be used as a group cycling machine). Commerce also determined that the E-TRx treadmill base, E-RB recumbent bike base, and E-UB upright bike base kits, at the time of importation, contain all of the necessary parts to fully assemble a finished subassembly (e.g., a finished exercise base). Therefore, Commerce found that Star Trac's exercise equipment base kits meet the exclusion criteria for "finished goods kits," and are not within the scope of the Orders.
3. For all entries of exercise base kits not within scope, as described above, that remain unliquidated on or after 09/07/2010, CBP shall terminate suspension and liquidate entries of exercise base kits not within scope which were entered, or withdrawn from warehouse, for consumption.
4. Refund any cash deposits and release any bonds relating to the exercise base kits not within the scope described above.
5. These instructions constitute notice of the lifting of suspension of liquidation of entries of the exercise base kits not within scope entered, or withdrawn from warehouse, for consumption on or after 09/07/2010.

6. The assessment of countervailing duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated countervailing duties. The interest provisions are not applicable to cash or bonds posted as estimated countervailing duties before the date of publication of the countervailing duty order. Interest shall be calculated from the date payment of estimated countervailing duties and is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of aluminum extrusions from the People's Republic of China not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated countervailing duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OIII: EBG.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party